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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 001166

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NOFORN

FOR NEA/ARP, INL/HSTC, AND G/TIP

E.O. 12958: DECL: 07/24/2027  
TAGS: [PGOV](#) [PHUM](#) [ELAB](#) [KU](#) [TIP](#)  
SUBJECT: GOK APPROVES TIP SHELTER, OUTLAWS PASSPORT  
WITHHOLDING, PROVIDES TIP PROSECUTION EVIDENCE

REF: A. KUWAIT 1099  
[1](#)B. KUWAIT 1094  
[1](#)C. KUWAIT 1070  
[1](#)D. KUWAIT 475

Classified By: Charge d'Affaires Timothy Lenderking for reasons 1.4(b)  
and (d).

[1](#)1. (C/NF) Summary and Comment: Highlighting his personal commitment to fighting TIP, the Minister of Social Affairs and Labor made an unexpected personal appearance at PolOff's July 22 meeting with a ministry official to provide the Embassy with a copy of a ministerial decree authorizing the establishment of a shelter for abused workers. This is the first official directive ever issued by the GOK to establish a shelter. The minister also provided a working paper stating that the shelter will offer legal, medical, social, and psychological services. The minister described this as a concrete step and not simply a further promise, and said administrative preparations had already begun. The minister also delivered a copy of a ministerial decree issued on July 18 prohibiting employers from withholding their workers' passports. He concluded by describing the ministry's recent push to provide incoming workers with awareness-raising materials and plans to improve awareness through cooperation with civil society groups. Separately, a senior Ministry of Justice official provided the Embassy on July 21 with judicial rulings showing evidence of prosecutions for TIP-related crimes.

[1](#)2. (C/NF) The minister's action demonstrated the personal and energetic engagement the GOK is now applying to combat TIP. The minister has provided a major push in the past month, including appearing in the media to talk about human rights and foreign workers. He has clearly invested a great deal of his personal political capital (he is a leading member of the royal family) into taking tangible action. Much of the lack of progress in Kuwait on TIP stems from the fact that until now no senior official has taken an active interest in pushing it. Shaykh Sabah Al-Khalid's recent actions are a positive sign. He welcomed a visit by State Department officials from Washington to discuss progress on TIP, and Post will continue to encourage his efforts. End Summary and Comment.

Cabinet Authorizes Work on Shelter  
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[1](#)3. (C/NF) Making a completely unexpected appearance during Poloff's July 22 meeting with Minister of Social Affairs and Labor (MOSAL) Assistant Undersecretary for Legal Affairs Jamal Al-Dossary to discuss TIP, MOSAL minister Shaykh Sabah Al-Khalid Al-Sabah presented to PolOff on July 22 Cabinet decree number 652, which states that on July 8 the Cabinet agreed in principle to establish a shelter for domestic

workers. MOI and MOSAL are charged with "initiating the necessary measures to establish the shelter and to work on estimating the total cost in preparation for presenting a budget to the Cabinet." Shaykh Sabah Al-Khalid emphasized that this decree was the "green light" that those favoring a shelter had long been waiting for, and that concrete preparations for the shelter had already begun.

14. (C/NF) The Minister also provided a copy of a working paper drawn up by MOSAL to govern the operation of the shelter, to be called "The House of Shelter and Humanitarian Care." The paper states the shelter will receive people who have been taken advantage of by others for prostitution or forced labor, and will provide lodging, food, clothing and other necessary supplies. The shelter will be run by the MOI's Domestic Workers Administration (DWA) but will also be staffed by MOSAL and Ministry of Health officials who will provide social, psychological, and medical services. Legal experts will provide legal assistance to those staying there. Finally, the working paper calls for specifying the internal workings of the shelter, check-in and check-out procedures, and the rights and responsibilities of admitees. MOSAL Assistant Undersecretary for Legal Affairs Jamal Al-Dossary said he had already begun intensive working sessions with DWA director Esam No'mani to draw up these internal guidelines and expected to have a working draft within a week or two.

15. (C/NF) Comment: Past promises about the shelter have been verbal. This is the first official, written directive to establish a shelter. Furthermore, the commitment comes from the full Cabinet, which means that the executive branch has given its blessing. A major part of the problem in the past has been the Municipal Council, a corrupt, inefficient, and sometimes capricious elected body that has to approve the

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allocation of land in Kuwait (see reftel D). The GOK does not have the power to circumvent the Municipal Council for a project like the shelter. Shaykh Sabah Al-Khalid suggested renting two buildings (one for men and one for women) in which to operate the shelter until something can be worked out with the Municipal Council. The idea of renting buildings and the minister's personal commitment to pushing the shelter forward have broken the years-long logjam and the project has now taken its first tangible steps towards fruition. End Comment.

#### Ministerial Decree Bans Withholding Workers' Passports

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16. (C/NF) The minister also provided a copy of MOSAL ministerial decree 152, dated July 18, 2007, which forbids employers in the private sector from withholding the passports of their workers. The punishments for violators are in keeping with other minor infractions of labor law: a warning for the first offense and fines for every subsequent offense. The withholding ban will benefit a great number of low-skilled workers who fall under MOSAL's supervision.

#### Awareness Efforts Underway, Ministry to Involve NGOs

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17. (C/NF) The minister also noted that MOSAL employees had begun distributing informational brochures in seven languages at the airport medical inspection unit, through which all incoming workers must pass. The minister said he hoped this would be the beginning of further awareness raising activities, and that MOSAL had already begun work to involve NGOs such as the Social Work Society (headed by the Amir's US-educated granddaughter Shaykha Bibi Nasser Al-Sabah) in its efforts.

#### Prosecutions

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18. (C/NF) Assistant Public Prosecutor and Chairman of the

Committee to Respond to International Human Rights Reports  
Mohammad Al-Zo'by requested a meeting on July 21, at which he presented seven cases that he said proved that Kuwait is prosecuting TIP-related cases. In a 2005 case, three men were imprisoned for five years and fined 1000 Dinars (3500 USD) for forcing three women into prostitution. In a 2004 case, a man was sentenced to three years in prison for detaining their housemaid for 5 months and physically abusing her. In a 2003 case, a policeman was sentenced to ten years in prison for raping a woman at a police station, while two policeman who aided him were given seven years. The connection to TIP is that foreigners often complain that police officers do not treat them justly if they file cases. Post will encourage the MOJ to provide more such evidence.

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